

CHAPTER 33 - VEHICLES FOR HIRE

ARTICLE V. LIMOUSINE SERVICES

Sec. 33-500. Scope of instant article.

Holders of operating permits for a limousine service operated pursuant to supplemental operating permits, and the drivers operating the vehicles of the sponsored limousine services shall be governed by the provisions of Articles I and V of this chapter. Secs. 33-501 - 33-518, reserved.

Sec. 33-519. Amount of insurance.

Except as otherwise provided by the holder's operating permit or supplemental operating permits, the public liability and property damage insurance required by this article shall be the minimum of \$500,000 combined single limit (CSL) for each vehicle with a rated passenger capacity of 15 passengers or less. Vehicles with rated capacity of more than 15 passengers shall be required to maintain insurance cover equal to or greater than the minimum requirements set by the State of Texas Department of Transportation. These minimums shall be required to cover the following categories:

- (a) For damages arising out of bodily injury to or death of one person in any one accident;
- (b) For damages arising out of bodily injury to or death of two or more persons in any one accident; and
- (c) For damages arising out of injury to or destruction of property in any one accident.

Secs. 33-520 - 33-522, reserved.

Sec. 33-523. Number of ground transportation vehicles authorized.

(a) A holder within 90 days after receipt of an operating permit shall operate and maintain a city approved fleet of vehicles for hire consisting of the number of vehicles authorized and required by the permit agreement. The number of vehicles authorized by the permit agreement and the number of vehicle permits issued pursuant thereto shall be reduced to reflect the actual number of vehicles the holder is able to operate and maintain in accordance with the provisions of this chapter, the operating permit, the permit agreement, and the rules and regulations established by the director.

(b) A holder may apply for and receive additional vehicle permits if such application satisfies the requirements of Secs. 33-008 and 33-007 of this chapter. The application, however, shall be denied if such holder:

- (1) Has not held permits for at least one year;
 - (2) At any time during a 12 month period immediately preceding the application for additional permits, the applicant has failed to pay a fine owed within the time required by this chapter or by the director;
 - (3) At any time during a 12 month period immediately preceding the application for additional permits, the applicant has failed to maintain the license/permit bond or insurances required by this chapter;
 - (4) At any time during a 12 month period immediately preceding the application for additional permits, the applicant has had a vehicle permit revoked or suspended; or
 - (5) The applicant has failed to assign any previously issued vehicle permits to a vehicle.
- (c) A holder who is approved for additional vehicle permits must execute an amended permit agreement authorizing the additional vehicles. The amended permit agreement shall supersede any such agreements previously executed between the city and the holder. The duration of the amended permit agreement shall be for the same period of time as provided for in the original permit agreement.
- (d) Additional vehicle permits shall be distributed to qualified holders within 60 days of a reported deadline. A holder receiving additional vehicle permits shall, within 90 days of the distribution of such additional vehicle permits, increase his total fleet to the new level as required by subsection (a) of this section.

Sec. 33-524. Supplemental operating permit.

If a limousine service experiences peak demand periods requiring more vehicles than are designated in its permit agreement or operating permit, the holder may request supplemental vehicles by submitting a written application for a supplemental operating permit, along with proof of inspections, insurance, and which shall state the reason why supplemental vehicles are needed and identify the vehicles to be used. Supplemental vehicles authorized by a supplemental operating permit:

- (a) May not be used for more than ten days;
- (b) Must comply with the vehicle requirements of this chapter;
- (c) Must comply with the insurance requirements of this chapter;
- (d) Are subject to inspection by the director, who may at any time order unsafe vehicles to be removed from service.

(e) If leased or rented through a nationally recognized leasing or rental company, the vehicle shall be exempt from inspection requirements;

(f) Vehicles that are permitted by other Texas cities may be utilized and are exempt from inspection requirements.

(g) Vehicles that are utilizing a supplemental permit are exempt from ownership requirements and Sec. 33-062(b), but must comply all other requirements of this chapter.

(f)(h) The applicant must pay the supplemental operating permit fee in advance of the use of said supplemental permit;

(g) (i) A limousine service that utilizes a supplemental vehicle that is not in compliance with Sec. 33-524 of this chapter shall be in violation of Sec. 33-006 (a) of this chapter;

(h) (j) A limousine service or the holder that has been convicted or placed on community supervision, including probation and deferred adjudication, for a violation of Sec. 33.524(g) of this chapter shall no longer be authorized the use of supplemental operating permits.

(i) (k) For the purposes of the supplemental operating permits, the provisions of Sec. 33-564 of this chapter shall not apply.

Sec. 33-525. Supplemental drivers permit.

If a limousine service experiences peak demand periods requiring more drivers than are currently permitted, the holder may request supplemental drivers by submitting a written application for a supplemental drivers permit, which shall state the reason why a supplemental driver is needed. Supplemental drivers:

(a) Shall possess a valid Texas drivers license as outlined in Sec 33-041 (3);

(b) Shall possess a valid driver's permit from another Texas city;

(c) May not be used for more than 10 consecutive days;

(d) Every individual driver may not be used for more than a total of 30 days in a calendar year;

(e) A supplemental drivers permit shall automatically expire if the driver operates in violation of Secs. 33-524 and 33-52, and the driver shall be in violation of Sec. 33-006 (a) of this chapter.

Sec. 33-526. Fees.

The following fees are hereby established:

(1) Inspection of vehicle

Passenger capacity:

10 or less . . . \$42

11 or More . . . \$84

(2) Drivers permit . . . \$30

(3) Renewal of driver permit . . . \$30

(4) Replacement of lost driver permit . . . \$15

(5) Driver transfers from one holder to another... \$15

(6) Supplemental operating permit, ten days (including airport operating permit) ...
\$100

(7) Application... \$110

(8) * City-wide limousine operating permit (per vehicle/per year)... \$440

(9) Late permit . . . \$30

(10) Re-inspection ...\$28

(11) Inspection re-scheduling ...\$28

All fees are due upon request of service and are non-refundable.

*City-wide limousine operating permit fees shall be paid to the city for each vehicle authorized by the permit agreement. The limousine operating permit fees shall be paid in one payment or four quarterly payments, due on the first business day of the following months: January, April, July and October.

Late permit payments shall be charged for all permit payments that are received after the close of business on the fifth business day of the month a payment is due.

Permits that do not have fees paid prior to 30 calendar days from the due date shall be suspended until all fees are paid. If the fees are not paid prior to 60 calendar days from the due date all permits shall be revoked.

Secs. 33-527 - 33-560, reserved.

Sec. 33-561. Rates of fare.

(a) A holder shall charge a minimum fare of \$67.50 per hour for all permitted vehicles. This amount shall be exclusive of any gratuity. The holder shall file with the director a schedule of fares to be charged for services provided.

(b) A holder shall notify the director within 48 hours of any changes in the fare schedule filed by the holder.

(c) The use of any type of meter or measuring device to calculate rate of fare is prohibited.

(d) The director may approve exemptions to Sec. 33-561(a) of this chapter, by written contracts.

Secs. 33-562 - 33-563, reserved.

Sec. 33-564. Vehicle requirements.

Each holder of a limousine operating permit must own all of vehicles permitted. No vehicle shall be allowed to enter into service that more than four model years old, stretch limousine may not be more than seven model years old, and no vehicle may enter into service that has more than 100,000 miles on the odometer. Each holder must operate and maintain a minimum of:

(a) Two stretch limousines as defined in Sec. 33-003 of this chapter; or

(b) One stretch limousine and two luxury vehicles or SUVs as defined in Sec. 33-003 of this chapter.

Sec. 33-565. Vehicle age requirements.

Vehicle used for Limousine Services shall not have any age limits, however vehicles may be removed from service by the director if the vehicles do not comply with any part of this chapter, rules and regulations, or vehicle inspection guidelines.

Secs. 33-566 - 33-699, reserved.